



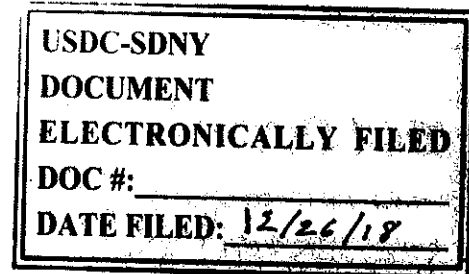
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MATTHEW L. SCHWARTZ  
Tel.: (212) 303-3646  
E-mail: mlschwartz@bsfllp.com

December 26, 2018

**BY ELECTRONIC MAIL**

Hon. Ronnie Abrams  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007



**Re: *United States v. Galanis*, S3 16 Cr. 371 (RA)**

Dear Judge Abrams:

I represent Devon Archer. I write to respectfully request the Court's permission for Mr. Archer to travel with his family to Jamaica from December 29, 2018, to January 3, 2019. Mr. Archer's family was invited by a family friend and business partner to celebrate the holidays and New Year with their family.

Unlike the prior travel requests that Your Honor has granted, which were all for business, this trip would be the first vacation Mr. Archer has taken with his family since this case was filed two and a half years ago, aside from one driving trip last winter. We respectfully submit that it is appropriate to allow the Archers to take this trip together. The Archers, particularly their three young children, have endured considerable stress and uncertainty over the past several years; the Archers' two youngest children have no memory of the time before this case began. The proposed trip would be an opportunity for Mr. Archer and his family to focus on themselves and their relationship, away from their everyday lives here. The Court's Pretrial Services Office consents to this request, but the Government as usual objects. The Archer family's itinerary, which we respectfully request that the Court file under seal, is attached.

Mr. Archer respectfully submits that he has demonstrated since the pendency of this case that he is not a flight risk. Most recently, the Court approved his business trips to Ukraine and London, *after* he was convicted and while he was awaiting sentencing, and he returned as he has every other time the Court has permitted him to travel. Even under the more stringent standard the Court would apply post-conviction, there is compelling evidence that Mr. Archer is no risk of flight. Now that the Court has vacated his conviction, however, Mr. Archer is again presumed innocent and the burden is back on the government to demonstrate that the conditions currently in place will not assure the continued appearance of Mr. Archer before this Court.

He has proven his trustworthiness. Your Honor has nineteen times previously granted Mr. Archer permission to travel internationally, which he has done without incident on each occasion, including to Italy, England, Spain, Latvia, Lithuania, Russia, Kazakhstan, the United Arab Emirates, Vietnam, China, Hong Kong, Malaysia, Singapore, Mexico, the Philippines, and Ukraine. On five of those occasions, Mr. Archer traveled while one or more members of his family were also traveling abroad, either with him or separately, including one prior trip (in

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March 2017) where the entire Archer family was abroad at the same time, albeit not together. His prior trips were:

- On June 13, 2016, Your Honor permitted Mr. Archer to travel on business to Italy.
  - On July 26, 2016, Your Honor permitted Mr. Archer and his wife, Dr. Archer, to travel on business to Latvia.
  - On September 9, 2016, Your Honor permitted Mr. Archer to travel on business to China.
  - On October 17, 2016, Your Honor permitted Mr. Archer to travel on business to England and Lithuania. On October 21, 2016, Your Honor further granted permission for Mr. Archer to modify his itinerary to include business travel to Russia.
  - On November 28, 2016, Your Honor permitted Mr. Archer to travel on business to England and Spain.
  - On January 4, 2017, Your Honor permitted Mr. Archer to travel on business to Vietnam and China. On January 17, 2017, Your Honor further granted permission for Mr. Archer to modify his itinerary to include travel to the United Kingdom.
  - On February 16, 2017, Your Honor permitted Mr. Archer to travel on business to Singapore, Malaysia, and the Philippines. Although Mr. Archer's wife did not travel with him, she was permitted to retain her passport because she had a separate international trip planned for the same time.
  - On March 6, 2017, Your Honor permitted Mr. Archer to travel on business to Russian and London. Mr. Archer's wife and his oldest child were permitted to join him in London for that leg of his trip.
  - On March 23, 2017, Your Honor permitted Mr. Archer to travel on business to the Philippines. On that occasion Mr. Archer's family did not surrender their passports because, although they did not travel with him, Mr. Archer's wife and children were out of the country on vacation at the same time.
  - On May 9, 2017, Your Honor permitted Mr. Archer to travel on business to London.
  - On June 6, 2017, Your Honor permitted Mr. Archer to travel on business to London.
  - On June 13, 2017, Your Honor permitted Mr. Archer to travel on business to the Philippines and China.
  - On July 26, 2017 Your Honor permitted Mr. Archer to travel on business to Italy, with one of his children.
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- On September 20, 2017, Your Honor permitted Mr. Archer to travel on business to China, Vietnam, the Philippines, and Kazakhstan.
- On January 23, 2018, Your Honor permitted Mr. Archer to travel on business to China, Hong Kong, and the United Arab Emirates.
- On February 16, 2018, Your Honor permitted Mr. Archer to travel on business to Mexico.
- On March 28, 2018, Your Honor permitted Mr. Archer to travel on business to China.
- On August 7, 2018, following the jury's verdict in this case, Your Honor permitted Mr. Archer to travel on business to Ukraine.
- On September 14, 2018, Your Honor permitted Mr. Archer to travel on business to London.

[See ECF Nos. 41, 62, 78, 83, 84, 98, 111, 122, 148, 162, 166, 179, 182, 185, 189, 236, 305, 316, 363, 560, and 620.]

If the Court permits him to travel, Mr. Archer will report daily to his Pretrial Services Officer while he is away, and of course the open-ended waiver of extradition that Mr. Archer previously signed is still effective. Accordingly, I respectfully request permission for Mr. Archer to take the trip described in the attached exhibit.

Thank you for your consideration of this request.


Respectfully,

/s/ Matthew L. Schwartz  
Matthew L. Schwartz

cc: BY ELECTRONIC MAIL

AUSAs Rebecca Mermelstein, Brendan Quigley, and Negar Tekeei  
U.S. Pretrial Services Officer Andrew R. Kessler-Cleary

Application Granted. Mr. Archer shall report daily to Pretrial Services during his trip, and the waiver of extradition previously signed by Mr. Archer remains in effect. Because it contains private travel information, the exhibit attached to Mr. Schwartz's letter shall be filed under seal. So Ordered.

  
Hon. Ronnie Abrams  
December 26, 2018